

REMARKS/ARGUMENTS

These remarks are responsive to the Final Office Action dated May 17, 2006. Currently claims 1-28 are pending with claims 1, 9, 16, 20, 24, 27 and 28 being independent. Claims 16-19 and 24-26 are allowed.

In the May 17, 2006 Office Action, the Examiner rejected claims 1, 6, 9-12, and 27-28 under 35 U.S.C. §103 as being unpatentable over publication WO 99/59354 to Rasanen ("Rasanen") in view of U.S. Patent Pub. No. 2002/0064142 to Antonio et al. ("Antonio"). This rejection is respectfully traversed.

In the May 17, 2006 Office Action, the Examiner rejected claims 2, 7-8 and 13-15 under 35 U.S.C. 103(a) as being unpatentable over Rasanen in view of Antonio as applied to claims 1 or 9, and further in view of U.S. Patent No. 6,374,112 to Widegren et al. ("Widegren"). This rejection is respectfully traversed.

In the May 17, 2006 Office Action, the Examiner rejected claims 20-23 under 35 U.S.C. 103(a) as being unpatentable over Rasanen, Antonio, and Widegren. This rejection is respectfully traversed.

In the May 17, 2006 Office Action, the Examiner objected to claims 3-5 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims.

Interview Summary

Applicants would like to thank the Examiner for the opportunity to conduct an interview with the Applicants' representative on August 16, 2006 and for the courtesy provided.

Applicants provide the following interview summary in accordance with 37 C.F.R.

1.133(b). Participants of the interview were: Examiner Kevin C. Harper and Applicants' representative Boris A. Matvenko. The Interview was held via telephone on August 16, 2006 and include the aforementioned participants.

During the interview, the Examiner and Applicants' representative discussed currently pending claims and the prior art of record; in particular the Rasanen reference.

Applicants' representative discussed the claimed invention and pointed out that Rasanen does not disclose, teach or suggest, *inter alia*, a method of providing wireless data communication at a control entity, the method including the following elements selecting one of a centralized mode and a distributed mode, implementing, when the centralized mode is selected, all operations of an OSI reference model layer 2 protocol to deliver the data to at least one transceiver device; and implementing, when the distributed mode is selected, only a portion of operations of said layer 2 protocol to deliver the data to said at least one transceiver device, as recited in claim 1. In contrast, Rasanen processes either radio link protocol ("RLP") frames or link access control ("LAC") using the centralized or distributed modes, however, the processing of RLP and LAC frames is mutually exclusive of each other. This is different from the present invention that performs all layer 2 protocol operations in the centralized mode and some layer 2 protocol operations in the distributed mode.

As a result of the interview, the Examiner and the Applicants' representative reached an agreement, as is indicated on the Examiner's Interview Summary, dated August 16, 2006. The Examiner also stated that the finality of the May 17, 2006 Final Office Action will be withdrawn and that claims 1-15, 20-23, and 27-28 will be allowed pending submission of this Response. As noted above, claims 16-19 and 24-26 have been already allowed.

35 U.S.C. 103

The Examiner rejected claim 1 under 35 U.S.C. 103 as being unpatentable over a combination of Rasanen and Antonio. This rejection is respectfully traversed.

Claim 1 of the present invention recites a method of providing wireless data communication at a control entity, said method comprising: receiving data in accordance with an Open Systems Interconnection (OSI) reference model level 3 protocol; selecting one of a centralized mode and a distributed mode; implementing, when said centralized mode is selected, all operations of an OSI reference model layer 2 protocol to deliver said data to at least one transceiver device; and implementing, when said distributed mode is selected, only a portion of operations of said layer 2 protocol to deliver said data to said at least one transceiver device; said portion of operations of said layer 2 protocol including at least those of a centralized protocol sub-layer.

Rasanen discloses a radio network controller/internetworking unit (RNC/IWU) coupled to a second generation mobile switching center/internetworking function (MSC/IWF) and a mobile station/terminal adaptation function (MS/TAF). (Rasanen, Fig. 5). Rasanen's RNC/IWU is configured to transmit only LAC frames that are received from the radio path transparently to the MSC/IWF and vice versa, while RNC/IWU switches are in a buffering adaptation position. (Rasanen, Fig. 5, Page 12, lines 9-12). Thus, depending on the switches' position in RNC/IWU, i.e., branch I or branch II positions in Rasanen's FIG. 5, Rasanen is capable of processing either LAC frames or RLP frames, but not both. Further, Rasanen's processing of the two types of frames is mutually exclusive of each other, hence, one type of frame processing cannot include the other type. This is contrary to the present invention, where all layer 2 protocols are performed in the centralized mode at the control entity and a portion of layer 2 protocols is performed in the

distributed mode at the control entity. (See, Specification, Page 5, lines 7-13). Additionally, as stated by the Examiner Rasanen does not disclose that the data as received in accordance with an Open Systems Interconnection (OSI) reference model level 3 protocol. (See, Final Office Action, Page 3). Thus, Rasanen does not teach or suggest all elements of claim 1.

Antonio does not cure the defects presented by Rasanen. According to the Examiner, Antonio discloses "IP Packets (layer 3) used in a wireless network (Antonio, para. 31, line 13)." Antonio relates to a base station architecture, where backhaul lines can be configured for voice and/or data transmission in accordance with any known interfaces, including standardized telephone lines. (Antonio, Para. 31, lines 9-11). However, Antonio does not describe selecting one of a centralized mode and a distributed mode; implementing, when said centralized mode is selected, all operations of an OSI reference model layer 2 protocol to deliver said data to at least one transceiver device; and implementing, when said distributed mode is selected, only a portion of operations of said layer 2 protocol to deliver said data to said at least one transceiver device; said portion of operations of said layer 2 protocol including at least those of a centralized protocol sub-layer. Hence, Antonio does not describe all of the elements of claim 1.

Even if combined, the combination of Rasanen and Antonio does not realize the present invention. Specifically, the combination of Rasanen and Antonio discloses a base station architecture capable of receiving data according to a level 3 protocol and processing only one type of frames (LAC or RLP), where the frames are mutually exclusive of one another. Hence, the combination of Rasanen and Antonio does not describe, teach or suggest all elements of claim 1 and claim 1 should be allowed.

Claims 9, 27 and 28 are patentable over a combination of Rasanen and Antonio for at least the reasons stated above with respect to claim 1. Thus, the rejections of claims 9, 27, and 28

are respectfully traversed. The Examiner is requested to reconsider and withdraw his rejections of claims 9, 27, and 28.

Claims 6 and 9-12 depend from claim 1. As such, claims 6 and 9-12 are patentable for at least the reasons stated above with respect to claim 1. Thus, the rejections of claims 6 and 9-12 are respectfully traversed. The Examiner is requested to reconsider and withdraw his rejections of claims 6 and 9-12.

In the May 17, 2006 Final Office Action, the Examiner rejected claims 2, 7-8 and 13-15 under 35 U.S.C. 103(a) as being unpatentable over Rasanen in view of Antonio as applied to claims 1 or 9, and in further view of Widegren. This rejection is respectfully traversed.

Claims 2, 7-8, and 13-15 depend from claims 1 and 9, respectively. As such these claims are patentable over the combination of Rasanen and Antonio for at least the reasons stated above with respect to claim 1. Further, Widegren does not cure the deficiencies of Rasanen and Antonio as applied to claims 1 and 9. Widegren does not disclose all elements of claims 1 and 9 as was discussed by the Applicants in response to the August 23, 2005 Office Action and as agreed by the Examiner in the November 29, 2005 Office Action. Hence, the combination of Rasanen, Antonio, and Widegren does not teach or suggest all of the elements of claims 2, 7-8, and 13-15. Thus, rejections of claims 2, 7-8, and 13-15 are respectfully traversed. The Examiner is requested to reconsider and withdraw his rejections of claims 2, 7-8, and 13-15.

In the May 17, 2006 Final Office Action, the Examiner rejected claim 20 under 35 U.S.C. 103(a) as being unpatentable over Rasanen, Antonio, and Widegren. This rejection is respectfully traversed.

Claim 20 is patentable over the combination of Rasanen and Antonio for at least the reasons stated above with respect to claim 1. Widegren does cure the deficiencies of the

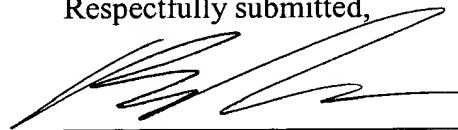
combination of Rasanen and Antonio, because it does not disclose all of the elements of claim 20, as discussed by the Applicants in response to the August 23, 2005 Office Action and as agreed by the Examiner in the November 29, 2005 Office Action. Hence, claim 20 is patentable over the combination of Rasanen, Antonio, and Widegren. This rejection is respectfully traversed. The Examiner is requested to reconsider and withdraw his rejection of claim 20.

Claims 21-23 depend from independent claim 20. As such, claims 21-23 are patentable over the combination of Rasanen, Antonio, and Widegren for at least the reasons stated above with respect to claim 20. Thus, the rejections of claims 21-23 are respectfully traversed. The Examiner is requested to reconsider and withdraw his rejections of claims 21-23.

The Applicants gratefully acknowledge Examiner's allowance of claims 16-19 and 24-29.

No new matter has been added. The claims currently presented are proper and definite. Allowance is accordingly in order and respectfully requested. However, should the Examiner deem that further clarification of the record is in order, we invite a telephone call to the Applicants' undersigned attorney to expedite further processing of the application to allowance.

Respectfully submitted,



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